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DATE OF DEPOSIT: July 9, 2004

I hereby certify that this transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee," under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Beverly A. Lee*  
Beverly A. Lee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Mark R. Boeder

Application No.: 10/622,758

Filed: July 17, 2003

For: CHRYSANTHEMUM PLANT  
NAMED 'STEREOPHONICS'

Art Unit: 1661

PTO Confirmation No.: 2451

Examiner: June Hwu

PTO Atty. Docket: 10451.0041.NPUS01

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is hereby requested that the period for responding to the outstanding Office Action of March 10, 2004 be extended one month from June 10, 2004 to July 10, 2004 by the filing of this Petition and fee payment.

The petition fee is believed to be \$110.00 for a one-month extension under 37 C.F.R. § 1.17(a), and the Commissioner is authorized to deduct the fee from Deposit Account No. 08-

DM\_US8035401.v1

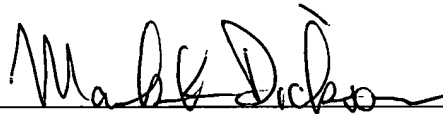
3038, referencing Docket No. 10451.0041.NPUS01. A duplicate copy of this Petition is enclosed.

If additional extensions of time under 37 C.F.R. § 1.136 other than those provided for here are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned. Should any additional fees be required for any reason relating to this application, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 08-3038, referencing Docket No. 10451.0041.NPUS01.

In order to facilitate the resolution of any issues or questions presented by this paper, Applicant respectfully requests that the Examiner contact the undersigned by telephone to further the discussion at (650) 463-8100.

In order to further promote the prosecution of this application, the Examiner is authorized to contact the undersigned by electronic mail. Please address all e-mail to DicksonM@howrey.com.

Respectfully submitted,



Date: July 9, 2004

Mark K. Dickson (Reg. No. 32,889)  
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Attorney for Applicant

07-12-04

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL

## For FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

### Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/622,758        |
| Filing Date          | July 17, 2003     |
| First Named Inventor | Mark R. Boeder    |
| Examiner Name        | June Hwu          |
| Art Unit             | 1661              |
| Attorney Docket No.  | 10451.0041.NPUS01 |

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 08-3038  
Deposit Account Name: Howrey Simon Arnold & White, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description        | Fee Paid |
|--------------|--------------|------------------------|----------|
| Fee Code     | Fee Code     |                        |          |
| 1001 770     | 2001 385     | Utility filing fee     |          |
| 1002 340     | 2002 170     | Design filing fee      |          |
| 1003 530     | 2003 265     | Plant filing fee       |          |
| 1004 770     | 2004 385     | Reissue filing fee     |          |
| 1005 160     | 2005 80      | Provisional filing fee |          |
| SUBTOTAL(1)  |              | (\$)                   |          |

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** =      | X              |          |
| Multiple Dependent | -3** =       | X              |          |

| Large Entity | Small Entity | Fee Description  |
|--------------|--------------|--|
| Fee Code     | Fee Code     |  |
| 1202 18      | 2202 9       | Claims in excess of 20                                     |
| 1201 86      | 2201 43      | Independent claims in excess of 3                          |
| 1203 290     | 2203 145     | Multiple dependent claim, if not paid                      |
| 1204 86      | 2204 43      | ** Reissue independent claims over original patent         |
| 1205 18      | 2205 9       | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) |              | (\$)   |

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

| Large Entity                      | Small Entity | Fee Description  | Fee Paid    |
|-----------------------------------|--------------|--|-------------|
| Fee Code                          | Fee Code     |  |             |
| 1051 130                          | 2051 65      | Surcharge - late filing fee or oath  |             |
| 1052 50                           | 2052 25      | Surcharge - late provisional filing fee or cover sheet                     |             |
| 1053 130                          | 1053 130     | Non-English specification.   |             |
| 1812 2,520                        | 1812 2,520   | For filing a request for ex parte reexamination                            |             |
| 1804 920*                         | 1804 920*    | Requesting publication of SIR prior to Examiner action                     |             |
| 1805 1,840*                       | 1805 1,840*  | Requesting publication of SIR after Examiner action                        | 110.00      |
| 1251 110                          | 2251 55      | Extension for reply within first month                                     |             |
| 1252 420                          | 2252 210     | Extension for reply within second month                                    |             |
| 1253 950                          | 2253 475     | Extension for reply within third month                                     |             |
| 1254 1,480                        | 2254 740     | Extension for reply within fourth month                                    |             |
| 1255 2,010                        | 2255 1,005   | Extension for reply within fifth month                                     |             |
| 1401 330                          | 2401 165     | Notice of Appeal   |             |
| 1402 330                          | 2402 165     | Filing a brief in support of an appeal                                     |             |
| 1403 290                          | 2403 145     | Request for oral hearing   |             |
| 1451 1,510                        | 1451 1,510   | Petition to institute a public use proceeding                              |             |
| 1452 110                          | 2452 55      | Petition to revive - unavoidable   |             |
| 1453 1,330                        | 2453 665     | Petition to revive - unintentional   |             |
| 1501 1,330                        | 2501 665     | Utility issue fee (or reissue)   |             |
| 1502 480                          | 2502 240     | Design issue fee   |             |
| 1503 640                          | 2503 320     | Plant issue fee  |             |
| 1460 130                          | 1460 130     | Petitions to the Commissioner  |             |
| 1807 50                           | 1807 50      | Processing fee under 37 CFR 1.17(q)  |             |
| 1806 180                          | 1806 180     | Submission of Information Disclosure Stmt                                  |             |
| 8021 40                           | 8021 40      | Recording each patent assignment per property (times number of properties) |             |
| 1809 770                          | 2809 385     | Filing a submission after final rejection (37 CFR 1.129(a))                |             |
| 1810 770                          | 2810 385     | For each additional invention to be examined (37 CFR 1.129(b))             |             |
| 1801 770                          | 2801 385     | Request for Continued Examination (RCE)                                    |             |
| 1802 900                          | 1802 900     | Request for expedited examination of a design application                  |             |
| Other fee (specify)               |              |  |             |
| *Reduced by Basic Filing Fee Paid |              | SUBTOTAL (3)   | (\$ 110.00) |

|                   |                 |                                   |                |
|-------------------|-----------------|-----------------------------------|----------------|
| SUBMITTED BY      |                 | (Complete if applicable)          |                |
| Name (Print/Type) | MARK K. DICKSON | Registration No. (Attorney/Agent) | 32,889         |
| Signature         |                 | Telephone                         | (650) 463-8234 |
|                   |                 | Date                              | July 9, 2004   |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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